

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, Mail Stop Missing Parts, P.O. Box 1450, Alexandria, VA 22313-1450, on the below date:

Date: July 12, 2004 Name: G. Peter Nichols

Signature: 

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Appln. of: Prochazka et al.

Appln. No.: 10/712,768

Filed: November 13, 2003

For: **PROCESS TO MAKE RUTILE PIGMENT
FROM AQUEOUS TITANIUM SOLUTIONS**

Attorney Docket No: 10225/57 (A28)

Examiner: unknown

Art Unit: 1754

**BRINKS
HOFER
GILSON
BLIONE**

Mail Stop Missing Parts
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL

Sir:

Attached is/are:

- ☒ (1) PTO – Notice to File Missing Parts of Nonprovisional Application; (2) Response to Missing Parts and Provisional Petition with \$657 filing fee (including \$65 late fee); (3) Petition and Fee for Extension of Time Under 37 CFR 1.136(a) (in duplicate) and \$475 filing fee; (4) Assignment with Recordation Cover Sheet and \$40 filing fee; (5) 19 sheets of drawings
- ☒ Return Receipt Postcard

Fee calculation:

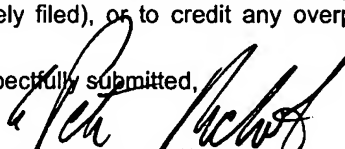
- ☐ No additional fee is required.
- ☐ Small Entity.
- ☐ An extension fee in an amount of \$_____ for a _____-month extension of time under 37 C.F.R. § 1.136(a).
- ☐ A petition or processing fee in an amount of \$_____ under 37 C.F.R. § 1.17(_____).
- ☐ An additional filing fee has been calculated as shown below:

					Small Entity			Not a Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	or	Rate	Add'l Fee
Total		Minus			x \$9=			x \$18=	
Indep.		Minus			x 43=			x \$86=	
First Presentation of Multiple Dep. Claim					+\$145=			+\$290=	
					Total	\$		Total	\$

Fee payment:

- ☒ A check in the amount of \$_____ is enclosed.
- ☐ Please charge Deposit Account No. 23-1925 in the amount of \$_____. A copy of this Transmittal is enclosed for this purpose.
- ☐ Payment by credit card in the amount of \$_____ (Form PTO-2038 is attached).
- ☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Respectfully submitted,


G. Peter Nichols (Reg. No. 34,401)

July 12, 2004
Date



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July 12, 2004

Date of Deposit

G. Peter Nichols

Name of applicant, assignee or
Registered Representative

Signature

July 12, 2004

Date of Signature

PATENT
Case No. 10225/57 (A28)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Prochazka et al.

Serial No.: 10/712,768

Filed: November 13, 2003

For: PROCESS TO MAKE RUTILE
PIGMENT FROM AQUEOUS
TITANIUM SOLUTIONS

Examiner:

Group Art Unit: 1754

RESPONSE TO MISSING PARTS AND PROVISIONAL PETITION

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notice to File Missing Parts dated February 10, 2004 for which Applicants request a three-month extension of time, please consider the following: the required filing fee of \$657 (including the \$65 late fee), the declaration and power of

attorney, the replacement drawings, the petition for a three-month extension of time, and the following provisional petition.

In connection with this filing, Applicants respectfully request a refund of the three-month extension fee based on the following facts.

Applicants' attorney of record determined as part of an internal audit that the Notice to File Missing Parts, which was apparently mailed on February 10, 2004 was never received. Accordingly, the undersigned attorney of record asked his local representative to obtain a copy of the Notice to File Missing Parts and the local representative sent a copy by telephone facsimile to the undersigned attorney of record on July 6, 2004, as evidenced by the facsimile header of the copy of the enclosed Notice to File Missing Parts. Thereafter, the undersigned attorney of record quickly obtained the required signatures and is now submitting the required papers, less than one week after obtaining the Notice to File Missing Parts.

But for the internal audit conducted by the undersigned attorney of record, the fact that the File Missing Parts was not delivered would not have been known until a Notice of Abandonment was received. In these circumstances, it is believed that a refund of the three-month extension fee is warranted.

USSN 10/712,768
Response to February 10, 2004 Missing Parts
10225/57

If there are any questions concerning this submission, the undersigned attorney can be reached at (312) 321-4276 to resolve any remaining issues.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "G. Peter Nichols", written over a horizontal line.

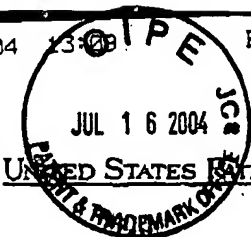
G. Peter Nichols
Registration No. 34,401

BRINKS HOFER GILSON & LIONE
P.O. BOX 10395
CHICAGO, ILLINOIS 60610
(312) 321-4200

JUL-06-2004

BRINKS HOFER

Page 1 of 2



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UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
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 www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (e) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/712,768	11/13/2003	Jan Prochazka	10225/57 (A28)

00757

BRINKS HOFER GILSON & LIONE
 P.O. BOX 10395
 CHICAGO, IL 60611

CONFIRMATION NO. 7402

FORMALITIES LETTER



OC000000011873619

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Date Mailed: 02/10/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 385 to complete the basic filing fee for a small entity.
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
 - More than one figure is present and each figure is not labeled "Fig." with a consecutive Arabic numeral (1, 2, etc.) or an Arabic numeral and capital letter in the English alphabet (A, B, etc.)(see 37 CFR 1.84(u)(1)). See Figure(s) 3.

The applicant needs to satisfy supplemental fees problems indicated below. 07/19/2004 HASFAW1 00000008 10712768

The required item(s) identified below must be timely submitted to avoid abandonment.

01 FC:2001
 03 FC:2202

385.00 OP
 65.00 OP
 207.00 OP

- Additional claim fees of \$207 as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$657 for a Small Entity

- \$385 Statutory basic filing fee.
 - \$65 Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is \$207
 - \$207 for 23 total claims over 20.

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Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center
Initial Patent Examination Division (703) 308-1202
PART 1 - ATTORNEY/APPLICANT COPY